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For additional information, please contact:

Centers for Medicare & Medicaid Services
7500 Security Boulevard, Baltimore MD 21244-1850
Phone: (410) 786-3000

We strongly encourage you to ensure that schools and other participants in Department of Education programs and, in particular, entities that are providing services under Medicaid or are billing for Medicaid-covered services, receive this information.

cc: State Directors of Special Education
Part C Lead Agencies
Part C Coordinators
Section 619 Coordinators
Secretary's Regional Representatives



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

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OSEP 02-26

MEMORANDUM

TO: Chief State School Officers

FROM: Stephanie S. Lee *Stephanie S. Lee*
Director
Office of Special Education Programs

SUBJECT: Medicaid and Upcoming Compliance Deadlines under the Health Insurance Portability and Accountability Act and the Administrative Simplification Compliance Act

The Centers for Medicare and Medicaid Services (CMS) and the Department of Health and Human Services have asked us to remind schools and other participants in Department of Education programs, and in particular, **entities that are providing services under Medicaid, are billing for Medicaid-covered activities or billing private insurers for medical services,** of some upcoming compliance deadlines under the Health Insurance Portability and Accountability Act (HIPAA) and the Administrative Simplification Compliance Act (ASCA). Under HIPAA, October 16, 2002 was the original deadline for *covered entities*¹ (as defined in

¹ HIPAA defines the term 'covered entity' to mean one of the following:

- (1) A health plan.
- (2) A health care clearinghouse.